



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,341	07/05/2005	Fredrik Almgren	502.1168USN	1093

33369 7590 04/19/2006

FASTH LAW OFFICES (ROLF FASTH)
26 PINECREST PLAZA, SUITE 2
SOUTHERN PINES, NC 28387-4301

EXAMINER

ZEWDU, MELESS NMN

ART UNIT PAPER NUMBER

2617

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/541,341	ALMGREN, FREDRIK	
	Examiner	Art Unit	
	Meless N. Zewdu	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This action is the first on the merit of the instant application.
2. Claims 1-14 are pending in this action.

Information Disclosure Statement

The information disclosure statement filed on 9/23/05 (in the form of international search report) has been provided without IDS Form-1449. The references are considered and placed in file for the record. If applicant requires examiner's initial for the consideration, the IDS Form-1449 need to be supplied.

Claim Objections

Claim 14 is objected to because of the following informalities: " -- is some of the level --", in line 2 appears to indefinite. The word "some of" need to be more descriptive. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 14 recites the limitation "the level commands" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (APA) over Yu et al. (Yu) (US 6,192,241 B1).

As per claim 1: the APA discloses a method for the management of roaming of mobile subscribers between a home between a home network and foreign networks (see page 2, lines 18-24), in which method the roaming behavior of a mobile terminal is based on roaming setting's in the form of contents of different control files saved in the mobile terminal of the subscribers (see page 3, lines 16-27), one file containing a list of networks to be used in a priority order in a roaming situation and a second file containing information about the last network the subscriber was registered in, the second file being the primarily (home)used information in the roaming situation (page 3, lines 16-20), the method comprising the following steps:

a) the subscriber roaming from one network to another network (see page 2, lines 18-24),

c) if the network that the subscriber roamed into does not correspond to the highest priority network (operator controlled network), moving the subscriber to a preferred network corresponding to said priority order (see page 3, lines 16-20; page 6, lines 15-22), characterized in that, the subscriber is moved to the preferred network by,

d) saving changed (updated) second file information to be used in the moving (see page 5, lines 9-14; page 5, line 30-page 6, line 2),

e) sending information about said change to the mobile terminal (see page 6, lines 15-22), as a consequence of which,

f) the network connection is re-established by the mobile terminal by selecting the preferred network from said changed information (see page 6, lines 10-13). But, the APA does not explicitly teach about - checking the current roaming setting for the subscriber, as claimed by applicant. However, in a related field of endeavor, Yu teaches about a worldwide wireless subscriber access service, wherein the home network of a roaming subscriber maintains a list including information on the roaming status and location of each subscriber using a manual or automatic registration/de-registration system, the home network further including a processor to perform procedures for determining current roaming status and present serving network of the subscriber by referring to the list (see col. 4, lines 48-59). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of the APA with that of Yu for the advantage of allowing a wireless telephonic system that determines the location of a subscriber to directly communicate with the subscriber without a preliminary call to the home network (see col. 1, lines 5-10).

Art Unit: 2617

As per claim 2: the APA teaches a method, characterized in that the changed (updated) second file information saved in step d) is performed by updating said second file to be in accordance with said List (see page 3, line 16-page 4, line 3; page 5, lines 9-14).

As per claim 3: the APA teaches a method, characterized in that in step 1,) information about said updating is sent to the to the mobile terminal as a consequence of which the network connection is re-established by the mobile terminal by reading and selecting from said second file the preferred network (see page 6, lines 4-13). Selection obviates connection or re-establishment of connection.

As per claim 4: the APA teaches a method, characterized in that any attempt from the mobile terminal to write a new value to the second file until the preferred network is roamed into is intercepted (see page 6, lines 15-22). Moving a subscriber from a non-preferred network to a preferred network requires interception.

col. 4, lines 48-67). The second file has been defined as the primarily used (home network file/list) information in the roaming situation. To that effect, Yu teaches that the home network has a means/processor to determine the current status and location of a subscriber, by registering/deregistering (intercepting) the same.

As per claim 5: the APA teaches a method, characterized in that the changed second file information saved in step d) is performed by saving the desired value of the second file in some other place than the second file and by setting set an indication that dynamic roaming is on-going (see page 6, lines 15-22).

Art Unit: 2617

As per claim 6: a method, characterized in that the second file is updated after step e) after which the network connection is re-established by the mobile terminal by reading and selecting from said second file the preferred network (see page 6, lines 5-13).

As per claim 7: the APA teaches a method, characterized in that the mobile terminal attempt to read the second file is intercepted by answering with the value saved insaid other place than the second file, after which the network connection is re-established by the mobile terminal by using said saved value (see page 9, lines 1-11).

As per claim 8: the APA teaches a method, characterized in that step b) is performed by a roaming management application, which detects if the subscriber is not the preferred network and de ides to use dynamic roaming to actively move the subscriber to a preferred network (see page 6, lines 15-22; page 9, lines 1-11).

As per claim 9: the APA teaches a method, characterized in that in order to actively move the subscriber to a preferred network, the roaming management application sends a command to a dynamic roaming client for performing step d) (see page 6, lines 15-22).

As per claim 10: the APA teaches a method, characterized in that step b) is performed by a dynamic roaming client, which detects if the subscriber is not on the preferred network and decides to use dynamic roaming to actively move the subscriber to a preferred network (see page 6, lines 5-22).

As per claim 11: the APA teaches a method, characterized in that step d) is performed by a dynamic roaming server (see page 6, lines 5-22). The dynamic roaming management can be considered as roaming server.

Art Unit: 2617

As per claim 12: the APA teaches a method, characterized in that said files are elementary files (EF) in the SIM card of the mobile terminal, which are specified in GSM 11-11, whereby said first file is (EF)plmn and said second file is (EF)loci (see page (see page 7, lines 25-page 8, line 33).

As per claim 13: the APA teaches a method, characterized in that step e) is performed by sending a proactive refresh command to the mobile terminal according to GSM 11.14 or TS 31. 111, (see page 7, lines 16-23).

As per claim 14: the APA teaches a method, characterized in that the refresh command to the mobile terminal according to GSM 11.14 or TS 31.111 is some of the level commands USIM Initialization, USIM Initialization and File Change Notification, SIM Initialization and Full File Change Notification, UICC Reset, USIM Application Reset and 3G session Reset (see page 1, line 28-page 2, line 7; page 7, line 10-page 8, line 33).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

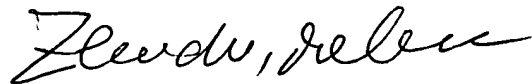
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold, Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600

Meless Zewdu

A handwritten signature in cursive script, appearing to read 'Zewdu, Meless'.

Examiner

13 April 2006.